

The Honorable John C. Coughenour

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

JOSEPH A. IOPPOLO; DAVID MCCRAY and)
SALLY MCCRAY, husband and wife; SCOTT)
KASEBURG and KATHRYN KASEBURG,)
husband and wife; CAR LOT LLC, a Washington)
limited liability company; FLOOR CRAFT)
BUILDING LLC, a Washington limited liability)
company; FREY REED BUILDING LLC, a)
Washington limited liability company; and)
WOODINVILLE LANDING LLC, a Washington)
limited liability company, for themselves and a)
Class of Similarly Situated Plaintiffs,)

No. 15-cv-00358 JCC

DECLARATION OF DAVID J.
HACKETT

NOTE ON MOTION CALENDAR:
AUGUST 7, 2015

Plaintiffs,)

vs.)

PORT OF SEATTLE, a municipal corporation;)
PUGET SOUND ENERGY, INC., a Washington)
for profit corporation, KING COUNTY, a political)
subdivision of the State of Washington;)
CENTRAL PUGET SOUND REGIONAL)
TRANSIT AUTHORITY, a municipal)
corporation; and CASCADE WATER)
ALLIANCE, a municipal corporation,)

Defendants.)

DECLARATION OF DAVID J. HACKETT
(15-cv-00358 JCC) - 1

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1 David J. Hackett declares the following:

2 1. I am over eighteen years of age. I am a Senior Deputy Prosecutor in the Civil
3 Division and an attorney of record for King County in this matter. I have personal knowledge of
4 the facts contained in this declaration and am otherwise competent to testify to the matters in this
5 declaration.

6 2. On June 19, 2015, King County was served with Plaintiffs' First Requests for
7 Production and First Interrogatories in this matter. King County timely served its Answers and
8 Objections to both discovery documents on July 23, 2015, pursuant to Fed. R. Civ. Proc. 6(d).
9 Plaintiffs have made no additional or follow-up requests with King County. In addition, on
10 August 22, 2014, King County provided initial disclosures in *Kaseburg v. Port of Seattle et al.*,
11 No. 14-cv-00784-JCC, a case that substantially overlaps the current matter, includes many of the
12 same Plaintiffs and the same Plaintiffs' counsel. The initial disclosure from King County
13 included 183 documents. Apart from requests for admission, Plaintiffs have made no follow-up
14 discovery requests to King County. Instead, Plaintiffs have directed substantial discovery to the
15 Port of Seattle, which has produced approximately 18,144 documents related to the East Side
16 Rail Corridor and its acquisition. Initial disclosures were also provided by Puget Sound Energy
17 and Sound Transit. Plaintiffs have not moved to compel additional discovery in the *Kaseburg*
18 matter beyond the substantial volumes produced by the Defendants.

19 3. Attached as Exhibit A are excerpts from the oral argument before the Hon.
20 Marsha J. Pechman in *Neighbors v. King County et al.*, No. C15-970 MJP. The Plaintiffs in
21 *Neighbors* were represented by the same counsel as in the current case.

1 I declare under penalty of perjury under the laws of the State of Washington that the
2 foregoing is true and correct to the best of my knowledge.

3 Dated this 7th day of August, 2015 at Seattle, Washington

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5 _____
6 David J. Hackett